

REMARKS

This Amendment, filed in reply to the Office Action dated August 10, 2005, is believed to be fully responsive to each point of rejection raised therein. Accordingly, favorable reconsideration on the merits is respectfully requested.

Claims 1-8 remain pending the application. Claims 7-8 have been rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. Claims 1-8 have been rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Claims 1 and 5-8 have been rejected under 35 U.S.C. § 102 as being anticipated by Sievert (U.S.P. 6,012,792). Claims 2-4 have been deemed allowable over the art of record but have been objected to for depending on a rejected base claim. Applicant respectfully submits the following comments for responding to the Office Action.

With regard to the rejection under 35 U.S.C. § 101, proposed non-narrowing claim amendments are provided to describe the invention as a computer readable medium consistent with the Examiner's suggestion. Additional modifications of the claims are also proposed to correct informalities in the application.

With regard to the rejection under 35 U.S.C. § 112, second paragraph, the Examiner contends that the description where a first mode which is independent of the existence of the detection section renders the claim indefinite. The Examiner assumes that the first mode must also generate the same final output data as the second mode. However, this is not the case. The first mode operates independently of the detecting section and can still provide an output. With regard to claim 2, this claim describes that when the detecting section does not detect the condition recited, then the output of the second mode (which is dependent on the existence of the

detecting device) will be the same as the output of the first mode (which is independent of the existence of the detecting device). In other words, if there is no existence of a particular condition, the process will proceed forward in the same manner as if there was no detecting section output, which is consistent with the first mode. Therefore, Applicant submits that there is no inconsistency in the claim recitations, contrary to the Examiner's suggestion.

Applicant's invention relates to printing of images according to a condition occurring in an image. In an exemplary embodiment, a part of an image may be masked for purposes of protecting an individual's identity, for example. Such a masked image is shown in Fig. 9, for example. In a process where the area corresponding to the masked area is not "erased" or processed in a different manner than would otherwise be processed for normal printing, it may be possible to see the reflection of the portion that is supposed to be masked. This is shown in Fig. 12. The present invention seeks to avoid such outputs by providing an output of Fig. 13 in the event that a masked portion appears in an image to maintain security.

For example, the detection of an image portion having certain color or black density value characteristics is determined. In a first mode of operation, the output data becomes produced in a manner such that printing occurs as if the detection were not made. In a second mode of operation, the detector will affect the output. An exemplary embodiment would include a form of masked image portion erasure as a result of the detection.

Sievert relates to controlling the rate of printing medium feed and ink ejection based on the density of an imaged area. Referring to Fig. 4B, the determination of whether the sweep of a medium should be adjusted is shown. For decision steps 302, 304, the color density and the black density are compared relative to two thresholds. If the results of both decisions are in the

affirmative, a slow sweep is set. The branch process starting at step 320 also depends on the result of the decisions 302 and 304 at several junctures.

The Examiner contends that Sievert teaches or suggests each feature of independent claim 1. In particular, the Examiner cites the steps 302 and 304 as the detector steps. The Examiner then cites that one of two modes is entered. The Examiner acknowledges that if none of the thresholds is exceeded then step 320 proceeds, and if both thresholds are exceeded, then step 306 proceeds. However, claim describes that at least one of the modes is independent of the existence of the detecting steps. Both of the steps 320 and 306 are directly dependent on the result of detecting steps 302, 304, and thus directly dependent on the existence of the detecting steps. Therefore, the anticipation rejection should be withdrawn, as it appears the Examiner has misunderstood the claim recitations. Applicant submits that claims 5 and 6 are patentable based on their dependency.

Because claims 7-8 include recitations similar, though not necessarily coextensive with claim 1, these claims are patentable for the reasons set forth above.

With regard to the Examiner's Statement on Reasons for Allowance in claims 2-4, Applicant submits that the Examiner's paraphrasing of the claims is inaccurate. Accordingly, the claims should be deemed allowable based on their respective recitations.

Applicant adds claims 9-10 to describe features of the invention more particularly.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.


AMENDMENT UNDER 37 C.F.R. § 1.111
Appln. No.: 09/965,851

Attorney Docket No.: Q66200

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860


Susan Perig Pan
Registration No. 41,239

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: February 10, 2006